

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAF) NO. 4097 OF 2019
IN FIRST APPEAL NO. 1190 OF 2013

(Smt. Shantabai wd/o Damodar Shirbhate (Dead) thr. LRs Sunil Damodar Shirbhate & Ors.
vs. The State of Maharashtra thr. its Collector, Amravati & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri V.A. Kothale, Advocate for the applicant –
appellant.
Mrs. H.N. Jaipurkar, APP for non-applicant /
respondent Nos. 2 & 3.

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CORAM : PUSHPA V. GANEDIWALA, J.
NOVEMBER 18, 2019.

Heard.

This is an application for condoning delay
of 471 days in filing application for setting aside
abatement and for permission to bring legal heirs of
appellant No. 2 (since deceased) on record.

The learned AGP waives notice on behalf
of respondent Nos. 2 & 3, however, objected the
application for want of sufficient reason.

Perused the application. For the reasons
mentioned in the application, delay is condoned.
Abatement is set aside. The Legal representatives of
appellant No. 2 are permitted to be brought on record

within a period of one week week. After amendment, a copy thereof be supplied to the learned AGP and learned counsel for the respective respondents within one week thereafter.

JUDGE

*GS.